

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

THERMO KING CORPORATION,)	
)	
Plaintiff,)	
)	
vs.)	
)	
PHOENIX CASTING & MACHINING, INC.,)	8:06CV657
)	
Defendant and)	
Third-Party Plaintiff,)	ORDER
)	
vs.)	
)	
TRANSPORT REFRIGERATION, INC.,)	
)	
Third-Party Defendant.)	

This matter is before the court on the motion of Phoenix Casting & Machining, Inc. for leave to file and serve a First Amended Answer and Counterclaim [37]. Response time has passed, and the court has not received a response in opposition to the motion. Upon review of the proposed amended pleading,

IT IS ORDERED:

1. The motion of Phoenix Casting & Machining, Inc. for leave to file and serve a First Amended Answer and Counterclaim [37] is granted.
2. Phoenix shall file and serve its amended pleading forthwith. The opposing parties shall respond within the time allowed by Fed. R. Civ. P. 15(a).

DATED April 25, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**